

19-6-302.5 Retroactive effect.

- (1) The Legislature finds the language in this part, prior to the passage of this act, did not clearly set forth procedures for identifying responsible parties and allocating among those parties response costs at sites where hazardous substances or materials have been released. This lack of clarity has interfered with effective allocation of costs of cleanup as required by this part.
- (2) It is the intent of the Legislature that this act provides clarification of the Legislature's original intent to facilitate cleanups of hazardous substances or materials by providing clarification of procedures for allocating liability and response costs.
- (3)
 - (a) It is the intent of the Legislature that liability as determined under this act applies retroactively to any release of a hazardous substance or material subject to or currently in the process of investigation, abatement, or corrective action under this part as of the effective date of this act.
 - (b) Any responsible party whose liability for cleanup costs is absolved or altered by the provisions of this act is subject only to further costs or action as required by this part.

Enacted by Chapter 324, 1995 General Session